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United States Department of Agriculture

AGRICULTURAL RESEARCH ADMINISTRATION

BUREAU OF ENTOMOLOGY AND PLANT QUARANTINE

SERVICE AND REGULATORY ANNOUNCEMENTS

APRIL—JUNE 1943

E.H.N.

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QUARANTINE AND OTHER OFFICIAL ANNOUNCEMENTS

ANNOUNCEMENTS RELATING TO JAPANESE BEETLE QUARANTINE (NO. 48)

B. E. P. Q. 527 Effective April 26, 1943

TITLE 7—AGRICULTURE

AGRICULTURAL RESEARCH ADMINISTRATION

CHAPTER III—BUREAU OF ENTOMOLOGY AND PLANT QUARANTINE

PART 301—DOMESTIC QUARANTINE NOTICES

JAPANESE BEETLE QUARANTINE REGULATIONS MODIFIED

§ 301.48c *Administrative instructions; places released from restrictions.*—Pursuant to the authority conferred upon the Chief of the Bureau of Entomology and Plant Quarantine by the fourth proviso of § 301.48, Chapter III, Title 7, Code of Federal Regulations (Notice of Quarantine No. 48, on account of the Japanese beetle), all restrictions of the rules and regulations of the above-named quarantine as they relate to the village of Silver Creek, Chautauqua County, N. Y., and the town of Woodstock, Shenandoah County, Va., are hereby removed, effective April 26, 1943, it having been determined that the application of control measures through soil treatment of infested areas now completed or in progress makes it safe to remove the restrictions as they relate to the above-named village and town.

(7 CFR § 301.48; sec. 8, 39 Stat. 1165, 44 Stat. 250; 7 U. S. C. 161.)

Done at Washington this 21st day of April 1943.

P. N. ANNAND,
Chief, Bureau of Entomology and Plant Quarantine.

[Filed with the Division of the Federal Register, April 27, 1943, 11:20 a. m.; 8 F. R. 5516.]

ANNOUNCEMENT RELATING TO MEXICAN FRUITFLY QUARANTINE (NO. 64)

B. E. P. Q. 528 Effective May 6, 1943

TITLE 7—AGRICULTURE

AGRICULTURAL RESEARCH ADMINISTRATION

CHAPTER III—BUREAU OF ENTOMOLOGY AND PLANT QUARANTINE

PART 301—DOMESTIC QUARANTINE NOTICES

MEXICAN FRUITFLY REGULATIONS REVISED—STERILIZATION OF GRAPEFRUIT REQUIRED

INTRODUCTORY NOTE

Because of increasing numbers of infestations of Mexican fruitflies now occurring in the regulated area in the Rio Grande Valley it has become necessary to require the sterilization of grapefruit moved interstate from the Texas counties of Brooks, Cameron, Hidalgo, Willacy, and that part of Jim Wells County under regulation. The harvesting season for oranges and grapefruit in these counties was extended to May 31 for this year under administrative instructions of the Bureau, which became effective March 1, 1943 (Circular B. E. P. Q. 526). The authorized methods of sterilization are set forth in Circular B. E. P. Q. 472, revised effective September 25, 1941.

§ 301.64–4b *Administrative instructions relative to the Mexican fruitfly quarantine.*—Pursuant to the authority conferred upon the Chief of the Bureau of Entomology and Plant Quarantine by paragraph (e) of § 301.64–4, Chapter III, Title 7, Code of Federal Regulations [Notice of Quarantine No. 64], it is hereby required that effective May 6, 1943, and continuing throughout the harvesting season to the close of May 31 1943, all grapefruit shall be sterilized as a condition of certification for interstate movement from the Texas counties of Brooks, Cameron, Hidalgo, Willacy, and that part of Jim Wells County under regulation.

(7 CFR § 301.64–4; sec. 8, 39 Stat. 1165, 44 Stat. 250; 7 U. S. C. 161.)

Done at Washington, D. C., this 29th day of April 1943.

P. N. ANNAND,
Chief, Bureau of Entomology and Plant Quarantine.

[Filed with the Division of the Federal Register May 1, 1943, 4 : 11 p. m.; 8 F. R. 5696.]

ANNOUNCEMENT RELATING TO PINK BOLLWORM QUARANTINE (NO. 52)

McDONALD TO AID MEXICO IN CONTROLLING PINK BOLLWORM

(Press notice)

To aid Mexico in combating the pink bollworm, R. E. McDonald, who since 1929 has been in charge of the Department of Agriculture's field work for control of this pest, has been transferred to Mexico with headquarters at Torreon, the Department said today. McDonald has made many contributions to the methods of combating the pink bollworm and detecting its presence. He is thoroughly familiar with the control work conducted in Mexico as well as in the United States.

In commenting on the assignment, Dr. Annand, chief of the Bureau of Entomology and Plant Quarantine, said that the Mexican Government has desired technical assistance and advice in its effort to strengthen and expand the work to combat this most important pest of cotton. "More effective control of the pink bollworm," he added, "will be beneficial to Mexico by increasing yields and should aid in protecting the cotton produced in the United States. It has been established that the pink bollworm moth may travel long distances under its own power, especially when aided by wind. Controlling the insect at the source of heavy infestation reduces the opportunity for natural spread. Mr. McDonald

asked for this assignment because of his interest in it and because of its importance to the United States and Mexico."

Officials of the two countries have been working closely for a number of years in combating the pink bollworm in the infested areas along the International Boundary Line. The present opportunity to strengthen the cooperative effort is opportune, Annand explained, because of the recent increase of the pink bollworm in the lower Rio Grande Valley of Texas and Mexico.

The Department announced also that L. F. Curl will succeed McDonald as leader of the Division of Pink Bollworm Control. Curl has been assistant division leader, with many years of experience in combating the pest.

ANNOUNCEMENT RELATING TO WHITE-FRINGED BEETLE QUARANTINE (NO. 72)

B. E. P. Q. 485, Twelfth Revision — Effective June 16, 1943

TITLE 7—AGRICULTURE

AGRICULTURAL RESEARCH ADMINISTRATION

CHAPTER III—BUREAU OF ENTOMOLOGY AND PLANT QUARANTINE

PART 301—DOMESTIC QUARANTINE NOTICES

WHITE-FRINGED BEETLE REGULATIONS MODIFIED

§ 301.72a *Administrative instructions; modification of certification requirements for specified articles.*—Pursuant to the authority conferred upon the Chief of the Bureau of Entomology and Plant Quarantine by the second proviso of § 301.72, Chapter III, Title 7, Code of Federal Regulations [Notice of Quarantine No. 72, on account of the white-fringed beetle], the certification requirements as modified and set forth in administrative instructions dated December 23, 1942 [B. E. P. Q. 485 Eleventh Revision], effective December 28, 1942, through June 15, 1943, for the interstate movement of articles and materials enumerated therein, shall remain in effect until further modified or revoked.

(7 C.F.R., § 301.72; sec. 8, 39 Stat. 1165, 44 Stat. 250; 7 U. S. C. 161)

Done at Washington this 15th day of June 1943.

S. A. ROHWER,
Acting Chief, Bureau of Entomology and Plant Quarantine.

[Filed with the Division of the Federal Register, June 19, 1943, 3 : 54 p. m.; 8 F. R. 8527.]

ANNOUNCEMENTS RELATING TO POTATO REGULATIONS

B. E. P. Q.—Potato Regulations — Revision of Regulation 7 Effective June 15, 1943

TITLE 7—AGRICULTURE

AGRICULTURAL RESEARCH ADMINISTRATION

CHAPTER III—BUREAU OF ENTOMOLOGY AND PLANT QUARANTINE

PART 321—RESTRICTED ENTRY ORDERS

Subpart—Foreign potatoes

AMENDMENT NO. 4 TO THE REGULATIONS GOVERNING THE IMPORTATION OF POTATOES INTO THE UNITED STATES

INTRODUCTORY NOTE

This revision of regulation 7 is intended to bring the importation of potatoes from Mexico into accord with the most recent information on the pest conditions in that country. Field examinations provided for by regulation 2 indicate that the potato weevil, *Epicaerus cognatus* Sharp, now occurs in the State of Chihua-

hua but is not present in the State of Guanajuato. An effective method of treatment for shipments of potatoes infested by this injurious insect is not yet available, and since inspection at ports of entry cannot be complete enough to assure freedom from the pest, it is necessary to discontinue potato importations from the State of Chihuahua. On the other hand, evidence as to the apparent absence of this weevil in the State of Guanajuato makes it possible to accept potatoes from that State under the regulatory requirements already in effect and through specified ports on the Mexican border.

Pursuant to the authority conferred by the Plant Quarantine Act of August 20, 1912, as amended (37 Stat. 316; 7 U. S. C. 159), § 321.8 of the subpart entitled "Foreign Potatoes" of Part 321, Chapter III, title 7, Code of Federal Regulations (regulation 7 of the rules and regulations governing the importation of potatoes into the United States, effective March 1, 1922, as amended October 31, 1936), is hereby amended further, effective June 15, 1943, to read as follows:

§ 321.8. *Special provisions for the importation of potatoes from the Dominion of Canada and Bermuda, the States of Sonora and Guanajuato, and the northern territory of Baja California, Mexico, into the United States.*—Potatoes may be imported from the Dominion of Canada and Bermuda into the United States or any of its Territories or Districts, free of any restrictions whatsoever, until otherwise ordered, under the Plant Quarantine Act of August 20, 1912.

Potatoes may be imported from the States of Sonora and Guanajuato and the Northern Territory of Baja California, Mexico, into the United States subject only to the following conditions and restrictions:

(a) All importations will be made under permit as required by § 321.4 [Regulation 3].

(b) Importations from the State of Sonora, Mexico, will be permitted to enter through the ports of El Paso, Tex., and Douglas, Naco, and Nogales, Ariz., and such other ports as may be designated in the permit; importations from the State of Guanajuato will likewise be permitted to enter through these ports, and in addition through the ports of Brownsville, Laredo, and Eagle Pass, Tex.

(c) Importations from the Northern Territory of Baja California, Mexico, will be permitted to enter through the ports of Calexico and San Ysidro, Calif., and such other ports as may be designated in the permit.

(d) The requirements contained in § 321.7 [Regulation 6] in regard to the sending of notice of arrival of shipment shall be complied with by the permittee.

(e) No shipment of potatoes from the States of Sonora and Guanajuato and the Northern Territory of Baja California, Mexico, will be permitted to enter until it has been examined by an inspector of the United States Department of Agriculture, and found, or believed to be, free from dangerous potato diseases and insect pests.

(7 CFR § 321.1; sec. 5, 37 Stat. 316; 7 U. S. C. 159.)

This amendment of the regulations shall be effective on and after June 15, 1943.

Done at the city of Washington this 14th day of June 1943.

Witness my hand and the seal of the United States Department of Agriculture.

[SEAL] PAUL H. APPLEBY,
Acting Secretary of Agriculture.

[Copies of the foregoing amendment were transmitted by the Department of State, with appropriate instructions, to American Diplomatic and Consular Officers in Bermuda, Canada, and Mexico.]

[Filed with the Division of the Federal Register June 15, 1943, 11:16 a. m.; 8 F. R. 8097.]

INSTRUCTIONS TO COLLECTORS OF CUSTOMS

PLANT QUARANTINE ACT—IMPORTATION OF POTATOES

REGULATIONS GOVERNING THE IMPORTATION OF POTATOES INTO THE UNITED STATES, AS AMENDED (T. D. 38695, T. D. 39211, T. D. 44162, AND T. D. 48693), FURTHER AMENDED (T. D. 50889)

TREASURY DEPARTMENT,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D. C., July 3, 1943.

To Collectors of Customs and Others Concerned:

The appended copy of Amendment No. 4 to regulation 7 of the rules and regulations governing the importation of potatoes into the United States issued

by the Secretary of Agriculture, effective on and after June 15, 1943, is published for the information and guidance of collectors of customs and others concerned.

The number of this Treasury decision shall be inserted as a marginal reference for section 12.10, Customs Regulations of 1943.

W. R. JOHNSON,
Commissioner of Customs.

[Then follows the text of the amendment.]

MISCELLANEOUS ITEM

IMPORTATION OF PLANTS AND PLANT PRODUCTS BY MAIL

REVISED REGULATIONS GOVERNING THE JOINT TREATMENT OF SUCH IMPORTATIONS UNDER THE PLANT QUARANTINE ACT BY PLANT QUARANTINE INSPECTORS, CUSTOMS OFFICERS, AND POSTMASTERS—T. D. 48181 SUPERSEDED (T. D. 50891)

TREASURY DEPARTMENT, DEPARTMENT OF AGRICULTURE,
AND POST OFFICE DEPARTMENT,
Washington, D. C., June 30, 1943.

To Collectors of Customs and Others Concerned:

§ 351.1 *Joint treatment generally.*—Under various orders, quarantines, and regulations promulgated by the Secretary of Agriculture under authority of the Plant Quarantine Act of August 20, 1912 (37 Stat. 315, 7 U. S. C. 154), as amended, the entry into the United States of certain plants and plant products is prohibited or restricted. (See Part II of the United States Official Postal Guide, July 1941, section 57, page 36, and also articles 394 and 578 to 584, inclusive, of the Customs Regulations of 1937, as amended.) As an aid in enforcing these or subsequent orders, quarantines, and regulations, provisions have been made by the Bureau of Entomology and Plant Quarantine of the United States Department of Agriculture, concurrently with the Postal and Customs Services, to insure closer inspection of such importations.[1]

§ 351.2 *Location of inspectors.*—Inspectors of the Bureau of Entomology and Plant Quarantine and customs officers are stationed at the following post offices:

Atlanta, Ga.
Baltimore, Md.
Blaine, Wash.
Boston, Mass.
Brownsville, Tex.
Buffalo, N. Y.
Calexico, Calif.
Charleston, S. C.
Chicago, Ill.
Del Rio, Tex.
Detroit, Mich.
Douglas, Ariz.
Eagle Pass, Tex.
El Paso, Tex.
Galveston, Tex.
Hidalgo, Tex.
Honolulu, T. H.
Houston, Tex.
Jacksonville, Fla.
Key West, Fla.
Laredo, Tex.
Los Angeles, Calif.
(including San Pedro)
Miami, Fla.
Mobile, Ala.
Naco, Ariz.
New Orleans, La.
Newport News, Va.
New York, N. Y.
Nogales, Ariz.
Norfolk, Va.
Pensacola, Fla.
Philadelphia, Pa.
Port Arthur, Tex.
Port Everglades, Fla.
Portland, Oreg.
Presidio, Tex.
Roma, Tex.
St. Albans, Vt.
St. Paul, Minn.
San Diego, Calif.
San Juan, P. R.
San Francisco, Calif.
San Ysidro, Calif.
Savannah, Ga.
Seattle, Wash.
Tampa, Fla.
Washington, D. C.
West Palm Beach, Fla.

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[1] §§ 351.1 to 351.6, inclusive, issued under the authority contained in Sec. 7, 37 Stat. 317, R. S. 161; 7 U. S. C. 160, 5 U. S. C. 22.

§ 351.3 *Procedure on arrival.*—All parcel post or other mail packages from foreign countries which, either from examination or external evidence, are found to contain plants or plant products shall be dispatched for submission, or actually submitted, to the plant-quarantine inspector (article 583 (e), Customs Regulations of 1937) at the most accessible place. The inspector shall pass upon the contents under the plant quarantine act and with the cooperation of the customs and postal officers either (1) release the package from further plant-quarantine examination and indorse his decision thereon; or (2) divert it to Washington, D. C., Hoboken, N. J., San Francisco, Calif., or Seattle, Wash., for disposition. If so diverted, the plant-quarantine inspector shall attach to the package the yellow-and-green special mailing tag addressed to the proper quarantine station. If the package is diverted, it shall be accompanied by customs card Form 3511 and transmitted in accordance with the appropriate provisions of article 372 (a) (JR 12a) of the Customs Regulations of 1937 (19 CFR 7.9 (a)). Envelopes containing customs card Form 3511 addressed to the collector of customs, New York, N. Y., shall contain a notation that the material is to be referred to the Bureau of Entomology and Plant Quarantine, Hoboken, N. J.

§ 351.4 *Records.*—The customs officers at Washington, D. C., San Francisco, Calif., Seattle, Wash., and New York, N. Y., shall keep a record of such packages as may be delivered to representatives of the Department of Agriculture, and upon the return thereof shall prepare a mail entry to accompany the dutiable package and deliver it to the postmaster for delivery or onward dispatch or in appropriate cases subject the shipment to formal customs entry procedure.

§ 351.5 *Return or destruction.*—Where the plant-quarantine inspector requires the entire shipment to be returned to the country of origin as a prohibited importation (in which event he shall indorse his action thereon) and delivers the shipment to the collector of customs, the collector shall in turn deliver it to the postmaster for dispatch to the country of origin. If, upon examination, the plant material is deemed dangerous to plant life, the collector of customs shall permit the plant-quarantine inspector to destroy immediately both the container and its contents. In either case the plant-quarantine inspector shall notify the addressee of the action taken and the reason therefor. If the objectionable plant material forms only a portion of the contents of the mail package and in the judgment of the inspector the package can safely be delivered to the addressee, after removing and destroying the objectionable material, such procedure is authorized. In the latter case the inspector shall place in the package a memorandum (B. E. P. Q. Form 387) informing the addressee of the action taken by the inspector and describing the matter which has been seized and destroyed and the reasons therefor. (See article 583 (d), Customs Regulations of 1937.) Mail packages received at San Juan, P. R., and Honolulu, T. H., shall be accorded treatment as herein prescribed at those two ports and not diverted to Washington, D. C., Hoboken, N. J., San Francisco, Calif., or Seattle, Wash.

§ 351.6 *Packages in closed mail dispatches.*—The foregoing instructions shall be followed in the treatment of packages containing plants or plant products received in closed mail dispatches made up for transmission directly to a post office located at a customs port at which no plant-quarantine inspector is stationed. Such packages (accompanied by customs card Form 3511) shall be forwarded by the collector of customs through the postmaster to the most accessible post office listed in § 351.2 of these regulations for appropriate treatment in the manner hereinbefore provided for. This procedure shall also be followed in respect of such packages which are forwarded to unlisted post offices from the post office of original receipt without having received plant-quarantine examination. Packages discovered at post offices where no customs officer is located shall be forwarded by the postmaster under his official penalty envelope addressed to the collector of customs at the most accessible post office listed for appropriate treatment as prescribed herein.

The provisions of T. D. 48181 (7 CFR 351.1 to 351.6, inclusive) are superseded by the foregoing §§ 351.1 to 351.6, inclusive.

[SEAL]

HERBERT E. GASTON,
Acting Secretary of the Treasury.
CLAUDE R. WICKARD,
Secretary of Agriculture.
FRANK C. WALKER,
Postmaster General.

[Filed with the Division of the Federal Register July 7, 1943, 11 : 55 a. m.; 8 F. R. 9317.]

PENALTIES IMPOSED FOR VIOLATIONS OF THE PLANT QUARANTINE ACT

According to reports received by the Bureau during the period April 1 to June 30, 1943, penalties have recently been imposed by the proper authorities for violations of the Plant Quarantine Act, as follows:

QUARANTINES AFFECTING MEXICAN PRODUCTS

In the case of the United States versus the persons listed below, for attempting to smuggle in contraband plant material, the penalties indicated were imposed by the United States customs officials at the following ports:

Name	Port	Contraband	Penalty
Alfredo Cavazos	Brownsville, Tex	6 Irish potatoes	$1.00
Benito M. Martinez	do	1 mango	1.00
Genoveva Rodriguez	do	7 mangoes	1.00
Mrs. Luisa Bluterra	do	1 mango	1.00
Mrs. Concepcion Yvarra	do	2 avocados and 2 plums	1.00
Aurora Hernandez	do	2 mangoes	1.00
Maria Lara	Del Rio, Tex	2 avocados	1.00
Guadalupe Valdez	do	4 avocados	1.00
Feliciana Flores	Eagle Pass, Tex	1 plant	1.00
Antonia Salazar de Rodriguez	do	2 avocado seeds	1.00
Gregoria Mata Gomez	do	1 mango	1.00
Aurelia Ortiz de Salazar	do	3 avocados	1.00
Trinidad Cortez	do	2 avocados	1.00
Juan Vallejo	do	2 mameys and 1 mamey seed	1.00
Eusebio Galindo	do	3 mangoes	1.00
Aurora Gonzales de Sanches	do	1 avocado	1.00
Petra Polanco	do	2 mangoes	1.00
Dolores Delgado	do	2 plants (cuttings)	1.00
Onita Lozano	do	1 avocado	1.00
Jose Rubio	El Paso, Tex	2 mangoes	1.00
Sofia Rodallegas de Vasquez	do	1 mango	1.00
Maria G. Aguirre	do	6 apricots and 8 plums	1.00
Consula Luna	Hidalgo, Tex	12 plants	1.00
Prescillano Jaramillo	do	2 avocados	1.00
Ventura Garza	do	11 avocados	1.00
Fermina Orozco	do	4 mangoes	1.00
Alicia de la Cruz	do	1 mango	1.00
Bertha Munoz	do	3 mangoes	1.00
Felipe Campas de Delgado	do	5 plants	1.00
Eluterio Perez	do	1 avocado	1.00
Maria Guerra	do	2 avocados	1.00
Jose Zarata	do	4 mameys	1.00
Feliza Chapa	do	4 avocados	1.00
Gregoria Medina	do	2 plants	1.00
F. W. Clark	do	8 mangoes	1.50
Elena Ramon	do	1 mango	1.00
Ernesto Garcia	do	2 avocados	1.00
Marcos Cervantes	do	3 mangoes	1.00
Refugia Castanida	do	1 avocado seed	1.00
Fedencio Bravo	do	5 avocados	1.00
Manuel Martinez	do	2 peaches	1.00
Ramon Castenada	do	10 figs	1.00
Mrs. R. A. Sigard	do	3 mangoes and 2 plums	1.00
Merton Gray	do	1 mango	1.00
Anna Griffith	do	do	1.00
Lorenzo Ramirez de Sarabia	do	6 avocados	1.00
Enrique Lopez	do	1 mango	1.00
Manuelo Mondrago	do	do	1.00
Gene Whittenberg	do	5 mangoes	1.00
Toribio Cruz	do	10 figs and 4 pomegranates	1.00
Sebastiana Ramirez	do	2 pears and 3 plums	1.00
Secundina Ramirez	do	2 avocado seed	1.00
Fructuoso Moro	do	2 plums	1.00
Eloisa Mercado	do	5 avocados	1.00
Maria Cobarrubias	Laredo, Tex	3 mangoes	1.00
Mrs. Petra B. Perez	do	7 plants	1.00
Simon Ortega	do	1 mango	1.00
Juan G. Segonia	do	10 avocados	1.00
Manuel Sanchez	do	4 avocados	1.00
Mrs. Rose B. Barnhart	do	12 oranges	1.00

Name	Port	Contraband	Penalty
Manuel Flores	Laredo, Tex.	2 mangoes	$1.00
G. C. Martinez	do	do	1.00
E. Puente	do	1 mango	1.00
L. C. Ramirez	do	2 mangoes	1.00
Leopoldo Vasquez	do	5 mangoes	1.00
Edelmira Perez	do	4 pomegranates	1.00
Samuel Villarreal	do	3 avocados	1.00
Joe Maria Castro	do	2 mangoes	1.00
Mrs. Montez Vda de Garza	do	5 plums, 7 pears, and 1 avocado	1.00
Mrs. R. Espinosa de Baulot	do	2 mangoes	1.00

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R. A. Sheals, *in Field Charge, Gypsy Moth and Brown-Tail Moth Control* (headquarters, *Greenfield, Mass.*).
E. G. Brewer, *in Field Charge, Japanese Beetle and Gypsy Moth and Brown-Tail Moth Quarantines, and Dutch Elm Disease Eradication* (headquarters, *East Orange, N. J.*).
L. F. Curl, *in Field Charge, Pink Bollworm and Thurberia Weevil Quarantines* (headquarters, *San Antonio, Tex.*).
P. A. Hoidale, *in Field Charge, Mexican Fruitfly Quarantine* (headquarters, *Harlingen, Tex.*).
Claude Wakeland, *in Field Charge, Grasshopper Control* (headquarters, *Denver, Colo.*).
A. C. Baker, *in Field Charge, Fruitfly Investigations* (headquarters, *Mexico City, Mexico.*).

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